



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, Washington 98101**

**Reply to the  
Attention of M/S AT-083**

**May 11, 1995**

**NOTICE OF CASE CLOSURE**

**James Gilbert, Plant Manager  
Bayliner Marine  
East 18001 Euclid  
Spokane, WA 99216**

**Dear Mr. Gilbert:**

**This concerns the April 26, 1995, Environmental Protection Agency (EPA) inspection which was conducted at facilities of Bayliner Marine located at East 18001 Euclid, Spokane, Washington. The inspection was conducted by Dennis Lazzar to determine compliance with the federal PCB (polychlorinated biphenyl) regulations which were promulgated pursuant to the Toxic Substances Control Act (TSCA).**

**Our review of the inspection report is now complete. We are pleased to advise you that no violations of the PCB Regulations were documented.**

**If you have any questions, please call me at (206) 553-7369.**

**Sincerely,**

A handwritten signature in black ink, which appears to read "William M. Hedgebeth", is written over the typed name.

**William M. Hedgebeth  
PCB Team Leader  
Toxic Substances Section**

**cc: Dennis Lazzar, WOO**

## VIOLATION ASSESSMENT - EPA REGION 10

William M. Hedgebeth/EPS  
NAME AND TITLE OF EVALUATOR

**PROGRAM: TSCA (PCB)**

**FACILITY NAME AND ADDRESS**

Bayliner Marine  
East 18001 Euclid  
Spokane, Washington 99216

	<b><u>ACTION TAKEN</u></b>
<b>X</b>	NO VIOLATION/CLOSURE
_____	NO VIOLATION/ADVISORY
_____	NOTICE OF NONCOMPLIANCE
_____	FED PAC: NOTICE OF SIGNIFICANT NONCOMPLIANCE
_____	REF: ADM. CIVIL PENALTY
_____	REF: FED COMPLAINT
_____	OTHER

April 26, 1995  
DATE OF INSPECTION

Dennis Lazzar, WOO  
NAME OF INSPECTOR

**COMMENTS**

**COMPLIANCE HISTORY**

There has been no previous EPA Region 10 TSCA PCB enforcement activity involving this facility.

**ANNUAL DOCUMENT (OR ANNUAL DOCUMENT LOG) ASSESSMENT**

N/A - No PCB Transformers or PCB Large Capacitors in use at the facility.

## QUARTERLY (OR ANNUAL) INSPECTION/RECORD ASSESSMENT

N/A - No PCB Transformers in use at the facility.

## NOTIFICATION AND MANIFESTING ASSESSMENT

### Notification

N/A - There was no PCB waste stored at the facility at the time of the inspection nor was there any indication that PCB waste had ever been stored at the facility.

### Manifesting

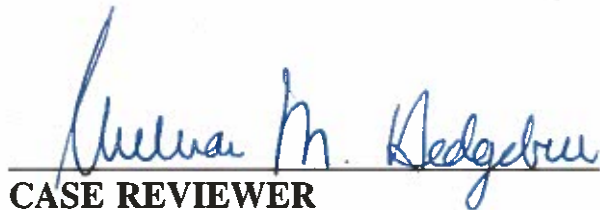
N/A - No manifests were obtained during the inspection. There was no indication that PCB waste had ever been manifested from the facility.

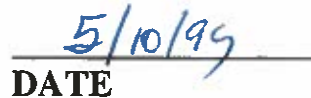
## OTHER REGULATORY ASSESSMENT

N/A - The facility was only ten years old. Equipment was mostly new. The one transformer observed during the inspection was owned by Washington Water Power; it was reportedly non-PCB. No problems were noted with the transformer.

## RECOMMENDATION

Recommend issuance of a no violation closure letter.

  
CASE REVIEWER

  
DATE

TSCA PCB Inspection

Facility: Bayliner Marine  
Location: East 18001 Euclid  
Spokane, Wa. 99216

Date: 04/26/95

Industry

Representatives: James Gilbert, Plant manager  
Ron Grobe, Maintenance Supervisor

EPA Inspector: Dennis Lazzar, WOO

RECEIVED

MAY 04 1995

PESTICIDES & TOXIC SUBSTANCES  
BRANCH-EPA REGION 10

*Dennis Lazzar* 5/2/95

I entered the facility at 8:30 am on 4/26/95 to inspect for the presence of PCB's. Upon introducing myself, showing my credentials and explaining the nature of my visit to Plant Manager James Gilbert I was introduced to Maintenance Supervisor Ron Grobe. Mr Gilbert said he had only been there for one week so deferred to the knowledge of Mr Grobe. Mr Grobe indicated that the building was only ten years old and only had circuit breakers under their control. A visual inspection revealed thirteen circuit breakers located in the stock room. They were housed in a THFP panelboard unit from G.E.. 100 amps each. There did not appear to be any noteworthy transformers or capacitors in the building.

An outside inspection revealed a locked vaulted transformer owned and maintained by Washington Water Power. This transformer was located on the north side of the main building with the numbers SE7497, 500KVA and a blue sticker indicating non-PCB. Mr Grobe did not have access to the inside of the vault.

The mold repair room contained a 55 gallon drum partially filled with used hydraulic fluid, transmission fluid and engine oil. These fluids are usually stored for approximately two months

then picked up by a recycler from Spokane (Harbor Oil - phone 509 922 9764).

An area of concern was observed in the front of the main building. An unbermed cement pad contained several drums, many without lids, containing what appeared to be resins and paint. All were without the protection of cover. Two pictures were taken.

Another area of potential concern was the relatively strong odor of resin and use of fiberglass used in an open area of the plant where only about half the employees used respirators.



United States Environmental Protection Agency  
Washington, D.C. 20460  
Toxic Substances Control Act

Form Approved  
OMB No. 2070-0007  
Approval Expires 10-31-92

TSCA INSPECTION CONFIDENTIALITY NOTICE

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

1. Investigation Identification			2. Firm Name
Date 4/26/95	Inspector No. 7056	Daily Seq. No.	BAYLINER MARINE
3. Inspector Name DENNIS LAZZAR			4. Firm Address EAST 18001 EUCLID SPOKANE WA. 99216
5. Inspector Address 300 DESMOND DR SE LACEY WA. 98503			6. Chief Executive Officer Name JIM GILBERT
			7. Title PLANT MANAGER

TO ASSERT A CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during inspection of the facility above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the Administrator of the Agency determines that the data contain information entitled to confidential treatment or may be withheld from release under other exceptions of FOIA.

Any or all the information collected by EPA during the inspection may be claimed confidential if it relates to trade secrets or commercial or financial matters that you consider to be confidential business information. If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of confidential business information. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information you have claimed as confidential business information.

A confidential business information (CBI) claim may be asserted at any time. You may assert a CBI claim prior to, during, or after the information is collected. The declaration form was developed by the Agency to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationery or by marking the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this form. The inspector will be glad to answer any questions you may have regarding the Agency's CBI procedures.

While you may claim any collected information or sample as confidential business information, such claims are unlikely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
3. The information is not publicly available elsewhere.
4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is confidential business information.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your firm within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive confidential treatment.

The statement from the Chief Executive Officer should be addressed to:

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of the Notice. Claims may be made any time after the inspection, but inspection data will not be entered into the special security system for TSCA confidential business information until an official confidentiality claim is made. The data will be handled under the agency's routine security system unless and until a claim is made.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE:

I have received and read the notice.

If there is no one on the premises of the facility who is authorized to make business confidentiality claims for the firm, a copy of this Notice and other inspection materials will be sent to the company's chief executive officer. If there is another company official who should also receive this information, please designate below.

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Signature James A Gilbert Sr.	Name
Name James A Gilbert Sr.	Title
Title Plant Mgr	Address
Date Signed 4/26/95	



United States Environmental Protection Agency  
Washington, D.C. 20460  
Toxic Substances Control Act  
NOTICE OF INSPECTION

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1. Investigation Identification		2. Time	3. Firm Name
Date 4/26/95	Inspector No. 7056	Daily Seq. No.	8:30 A
4. Inspector Address EPA 300 DESMOND DR SE LACEY WA 98503		5. Firm Address BAYLINER MARINE EAST 18001 EUCLID SPOKANE WA 99216	

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to (Check appropriate blocks):

☐ A. Financial data

☐ D. Personnel data

☐ B. Sales data

☐ E. Research data

☐ C. Pricing data

The nature and extent of inspection of such data specified in A through E above is as follows:

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature 		Recipient Signature 	
Name DENNIS LAZZAR		Name JAMES A GILBERT SR.	
Title INSPECTOR	Date Signed 4/26/95	Title Plant Mgr.	Date Signed 4/26/95